

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MASTER BAYE BALAH ALLAH,

Plaintiff,

-against-

OFFICER PACHEO; OFFICER BLIECH;
LT. HARRIS #144,

Defendants.

1:24-CV-1195 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On February 12, 2024, Plaintiff, who is appearing *pro se*, filed the complaint commencing the present action. On the same date, but before he filed the present action, Plaintiff filed a complaint that is identical to the complaint commencing the present action; that other complaint commenced another *pro se* action in this court known as *Allah v. Officer Pacheco*, 1:24-CV-1138 (LTS) (“*Allah I*”).¹ *Allah I*, which has been transferred to the United States District Court for the Eastern District of New York, remains pending. As the present action raises the same claims as *Allah I*, no useful purpose would be served by litigating the present action. The Court therefore dismisses the present action without prejudice to *Allah I*.

CONCLUSION

The Court dismisses the present action without prejudice to *Allah I*. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

¹ In an order dated February 21, 2024, and entered the next day, the Court transferred *Allah I* to the United States District Court for the Eastern District of New York. (ECF 1:24-CV-1138, 3.)

The Court directs the Clerk of Court to enter a judgment dismissing this action for the reasons set forth in this order.

SO ORDERED.

Dated: February 28, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge